

May 24, 2013 DRAFT Saugus Mills Mixed Use Overlay**§ _____ Purpose and Intent**

The Saugus Mills Mixed Use Overlay zoning by-law is established to promote:

- Preservation of historic resources
- Existing industrial uses and new industrial uses fostered by emerging technology
- Adaptive reuse and site redevelopment that are economically viable
- Innovative and sustainable building and site design
- A variety and balance of commercial, retail and residential uses
- Opportunities for affordable housing
- Public access to the Saugus River and connections to recreational resources
- Redevelopment and development that is sensitive to the historic context of the Saugus Iron Works National Historic Site

§ _____ Applicability

The Mills Mixed Use Overlay includes the entire Industrial (I) and Industrial 2 (I-2), the Residential-Multi-Density, Apartment (R-4), and the Business-Neighborhood (B-1) zoning districts north of the Saugus Iron Works, and adjacent to Central Street and Elm Street. These zoning districts are shown on the map entitled "Saugus Mills Mixed Use Overlay" dated _____ and prepared by the Metropolitan Area Planning Council, on file with the Town Clerk and hereby made a part of this by-law.

§ _____ Relationship to Existing Zoning and Other Regulations

- a) The Mills Mixed Use Overlay by-law shall not restrict the rights of any owner who elects to utilize the existing underlying zoning district regulations to develop or redevelop land. If an owner elects to utilize the Mills Mixed Use Overlay to develop or redevelop land, the project shall conform to all applicable requirements of this by-law, including any regulations or guidelines that may be adopted to support this by-law.
- b) In the Mills Mixed Use Overlay, all requirements of the underlying district(s) shall remain in effect except where these regulations supersede or provide an alternative to such requirements.
- c) If the provisions of this by-law are in conflict with any other section of the Saugus Zoning By-law, the regulations of the Mills Mixed Use Overlay shall govern.
- d) Projects developed under the Overlay must comply with all applicable Federal, State and local environmental and other regulations.

§ _____ Administration

- a) For purposes of this by-law, the Board of Selectmen is designated as the Special Permit Granting Authority (SPGA) for all uses noted S-2 below. The Planning Board is the SPGA for non-mills properties electing to use the Mills Mixed Use Overlay. All Special Permit applications made pursuant to this by-law shall conform to the requirements of this by-law and Article XII - Special Permits and Conditions, Sections 12.1, 12.2 and 12.3 of the Saugus Zoning By-law.

All Special Permit applications to the Board of Selectmen shall be forwarded to the Planning Board for review and recommendations.

- b) The decision of the Planning Board for a Mills Mixed Use Overlay Special Permit may be approval, approval with conditions, or denial of the requested special permit(s).
- c) The Planning Board may adopt regulations for the implementation of this by-law, including but not limited to design guidelines that support the Mills Mixed Use Design Criteria, Section _____, below.
- d) Consistent with SZB Section 12.6 Site Plan Review, the Planning Board will perform Site Plan Review for all applicable projects submitted under the Mills Mixed Use Overlay. The applicability criteria include:

Any new structure, group of structures, or additions such that:

- 1. The lot has 50% coverage by primary and accessory structures or
- 2. The use is commercial or
- 3. Any new structure will have a total gross floor area in excess of 3,000 square feet or
- 4. An increase of at least 1,000 square feet to an existing structure where the final structure will have a total gross floor area in excess of 3,000 square feet.

The Planning Board shall conduct Site Plan Review concurrently with Special Permit review, as applicable. The Planning Board shall forward all applications for Site Plan Review within the Mills Mixed Use Overlay to the Saugus Historical Commission for review and comment. This review does not replace reviews required by federal and/or state historic preservation requirements.

§_____ Special Permit Criteria

The Planning Board and Board of Selectmen shall consider the following criteria before issuing a Special Permit for development or redevelopment under the provisions of the Mills Mixed Use Overlay:

- 1. Adequacy of the site for the size of the proposed project
- 2. Suitability of the site for the proposed uses(s)
- 3. Degree to which the proposed project complies with the purposes of the Mills Mixed Use Overlay
- 4. The extent to which the project contributes to the historic context of the Mills Mixed Use Overlay
- 5. The extent to which affordable housing is a component of the project
- 6. Public access and/or trail connectivity to lands along the Saugus River, if applicable
- 7. Impact on traffic and pedestrian flow and safety and access for emergency vehicles
- 8. The extent to which the project promotes sustainable building and site design.

§_____Inclusionary Housing

Projects developed under the Mills Mixed Use Overlay will follow the requirements of Saugus Zoning By-Law Section XV: Inclusionary Housing.

§ _____ Pre-Application Meeting

Prior to submitting an application to the Building Commissioner for projects under the Mills Mixed Use Overlay, applicants are strongly encouraged to contact the Town Manager and request a Pre-Application Meeting with relevant Town officials and Board members including but not limited to the Planning Board, Conservation Commission and the Saugus Historical Commission. The purpose of the meeting is to present the project concept and discuss zoning, public safety, conservation, historic resources, housing concerns, etc. as applicable, in order to facilitate project development and coordinate the permitting processes. Project proponents are encouraged to bring sufficient information to the meeting to enable attendees to become familiar with the site and the project. This information includes photographs, a map of existing conditions, and a preliminary concept plan for the proposed project.

§ _____ Uses**a) As of Right Development**

Within the Mills Mixed Use Overlay, the following three (3) properties that include historic mills structures built prior to 1900 shall be allowed as of right to include a mix of uses, as defined below, in a redevelopment project provided that 75 % of the mills deemed by the Saugus Historical Commission to be historically significant for preservation, including a majority of the historically significant portion of the Central Street facing façade, remains and is rehabilitated in accordance with the Secretary of the Interior's Standards for Historic Preservation. The properties are: "Pranker's Mills", 180 Central Street, including ancillary structures (Assessor's Map F-2-12); and 179 Central Street (Assessor's Map F-11-1-3) and "Scott Mills", 222 Central Street (Assessor's Map F-10-2-22).

Alternatively, the three mills properties may as of right, be redeveloped for residential uses only, with the same preservation requirements noted above.

Property within the I-2 zoning district shall be redeveloped for residential uses only.

Mix of Uses shall mean: A combination of Residential, Community Facility, Retail Service-Commercial, Wholesale Transportation and Industrial Uses on one lot or adjoining lots, arranged vertically (in multiple stories of a structure) or horizontally (adjacent to one another in one or more buildings). In the Overlay, this definition supersedes the Saugus Zoning By-Law definition of Uses, Principal.

The following uses are Permitted by right in the Overlay:

Residential Uses

- One Family Dwelling*
- Two Family Dwellings*
- Multi-Family Dwelling-Apartment House, Town House*
- Home Occupation*
- Bed and Breakfast*

Community Facilities

*Church, School, Public Libraries, Public Museums, Parish Houses, Municipal or Church
Recreational Buildings, Governmental Buildings (except garage), Non-Profit Day Nursery
or Kindergarten.
Parks, Playgrounds, Municipal Police and Fire Stations, Water Towers
Private Club (not conducted for profit)
Cemeteries, Hospitals, Sanitariums, Nursing Homes, Rest Homes, Philanthropic Institutions
Private Day Nursery or Kindergarten
Facilities for Essential Services (streets, drains, bridges, etc.)*

Retail Service-Commercial

*Retail Stores and Shops for Custom Work or Making of Articles to be Sold at Retail on Premises
Retail Establishments Selling Principally Convenience Goods and Services including, but not
limited to: Food, Drugs, and Proprietary Goods
Professional Office for Engineers, Surveyors, Lawyers, Architects, Accountants, Doctors of
Medicine, Osteopathy, Banks, Real Estate, Insurance, Mfg. Representative, Brokers, Travel
Agents, and Headquarters for Non-Political, Civic, Cultural or Professional Societies and
Organizations
Restaurants and other Places Serving Foods, Motels and Hotels*

Wholesale Transportation and Industrial

*Light Manufacturing, using unobjectionable machinery or process
Plant for Manufacture of Electrical Devices, Medical, Dental, Optical goods or other Precision
Instruments*

Miscellaneous

*Conservation of Water Plants and Wildlife
Outdoor Recreation*

For development or redevelopment under the provisions of the Overlay, retail uses shall be limited to 50% of the structure's total built floor area, unless a greater percentage is approved by the Planning Board by grant of a Special Permit.

b) Development Authorized by Special Permit

For all other properties (non-Mills properties) developed or redeveloped under the provisions of the Overlay, a Mix of Uses (or exclusive residential use), shall be authorized by grant of a Special Permit by the Planning Board.

In addition, the following Uses shall require a Special Permit authorized by the Board of Selectmen:

Retail Service-Commercial

*Health Clubs, Personal Fitness Establishments, etc.
Massage Therapy, etc. as regulated by the Saugus Board of Health
Place of Business for Blacksmith, Building, Carpenter, Undertaker, Laundry Facility, Pet Care
Theaters, Bowling Alleys, places of Amusements*

Wholesale Transportation and Industrial

Laboratory Engaged in Experimental or Testing Research

§_____ Use Exceptions

The following Uses shall not be allowed in any project submitted under the Overlay:

Residential Uses

All other residential uses listed in the Table of Uses

Community Facilities

*Commercial Golf Course
Passenger Stations
Private Stables
Telephone Exchanges
Town Equipment Garage
Municipal Parking Lot
Private Utility Sub-Station*

Agriculture

*Farms, including Facilities unless 2 acres or more
Greenhouses, Nurseries, etc.*

Retail Service-Commercial

*Drive-through Windows
Gasoline and Oil Stations, etc.
Commercial Stables
Commercial Trailers, etc.
One Story Mini-Storage Facility*

Wholesale Transportation and Industrial

*Building Material, Fuel, Feed, Junk Yards, Automobile Repair and Sales
Plant for disposal/processing for waste material, etc.
Storage Warehouses for Building Supplies, etc.
Removal of Earth materials, etc.
Railroad Yards, Motor Freight Terminals
Refuse/Solid Waste Trucking*

Miscellaneous

*Pony rides, etc.
Temporary Refreshment Stand
Temporary Trailer*

§_____ Dimensional Requirements

All Dimensional Requirements in the Overlay shall mirror the Dimensional Requirements of the underlying zone, as described in the Table of Dimensional and Density Regulations, and the notes thereto.

The Minimum Lot Area for Multi-Family Dwelling housing units will be consistent with the existing zoning by-law requirement of 2,500 sq. ft. of lot area per dwelling unit.

The height limit in the Mills Mixed Use Overlay is 40 feet, 3 stories. Heights over 40 feet may be allowed by Special Permit from the Board of Selectmen.

A minimum of 5% of the lot shall be reserved and maintained for open space.

§_____ Demolition

A Special Permit from the Planning Board shall be required for the demolition of any mill building(s) or portion thereof unless the Saugus Historical Commission provides a written opinion to the Building Commissioner that the proposed demolition is not inconsistent with preservation of the mills.

§ _____ **Parking**

For projects submitted under the provisions of the Mills Mixed Use Overlay, parking spaces shall be 9 feet wide by 18 feet long, except for required Handicapped Spaces, and designated “small or compact car spaces” shall be 8 feet wide by 16 feet long. No more than 35% of spaces shall be designated for “small cars”.

To promote a pedestrian environment, parking in front of buildings is discouraged. Bicycle parking shall be provided as close as possible to the building entrances.

The following table provides Minimum and Maximum parking requirements for certain uses. All other Parking requirements in the Mills Mixed Use Overlay shall be the same as listed in Article VIII-Off Street Parking and Loading Regulations in the Saugus Zoning By-Law.

Use	Minimum Parking Spaces:	Maximum Parking Spaces	Comments
Studio/1 Bedroom All other residential units	1 per unit 1.5 per unit	1 per unit 2 per unit	Reduction for smaller units
Motels, hotels	0.75 space for each guest room or dwelling unit, plus 1 space for each 500 s.f. of meeting, banquet or restaurant area	1 space for each guest room or dwelling unit, plus 1 space for each 400 s.f. of meeting, banquet or restaurant area	The Max. is in the current By-Law
Retail business and service establishments	1 space for each 300 s.f. of gross floor area on the first floor of a building, and one space for each 500 square feet of gross floor area thereafter for all floors used businesses, excluding basement storage area	1 space for each 250 s.f. of gross floor area on the first floor of a building, and one space for each 400 square feet of gross floor area thereafter for all floors used for office, retail or service businesses, excluding basement storage area	The current By-Law requires 1/300 sf—adjusted the minimum
Theaters	1 space for each five seats or for each 100 s.f. of auditorium area, if there are not fixed seats	1 space for each four seats or for each 50 s.f. of auditorium area, if there are not fixed seats	
Mixed uses in a single building	See Section 8.5 Combined Facilities of the Zoning By-Law.	Spaces required will be the sum of the requirements of the various individual uses	If deeded condo parking, may not apply.

By grant of a Special Permit by the Planning Board, the Minimum number of off-street parking spaces required may be decreased provided that the following criteria have been met:

1. The purpose and intent of the by-law is achieved
2. The amount of off-street parking to be provided will be sufficient to serve the use(s) for which it is intended
3. The decrease in required off-street parking is based on a parking study prepared by a registered professional engineer. The parking study will include, at a minimum, the following:
 - a. Size and type of existing uses or activities on site
 - b. Size and type of proposed uses or activities on site
 - c. Rate of parking turnover
 - d. Peak traffic and parking loads to be encountered

- e. Availability of public transportation, bicycle and/or pedestrian facilities such as sidewalks
 - f. Other factors identified by the Planning Board
4. The Planning Board may consult with the Town Building Commissioner, public safety officials and/or engineer prior to granting any decrease in parking.
 5. If the Planning Board allows a decrease in the amount of required off-street parking, the Board may require that a portion of the site be reserved to meet the off-street parking spaces required by this bylaw. This reserved area shall not be developed and shall be either landscaped or maintained in a natural state. The reserved area shall not count towards the open space requirements.

§___ Design Criteria

The following Design Criteria shall be used to evaluate all projects that require a Special Permit and/or Site Plan Review submitted under the provisions of the Mills Mixed Use Overlay. The Design Criteria are intended to promote quality development that is compatible with the character of the historic mills area, and the desire for contextual, pedestrian-scaled projects.

1. New structures and additions shall relate to the pedestrian scale by including appropriate architectural details along the ground floor of all facades that face streets and pedestrian spaces.
2. External building treatments shall relate to and be in harmony with surrounding historic structures.
3. Continuous lengths of flat, blank walls adjacent to streets and pathways are to be minimized.
4. For visibility and accessibility, primary building entrances shall be located on a Central Street frontage, to the extent possible.
5. For parking located to the rear or side of the building, these secondary entrances to the building are to be visible and accessible from the parking lot.
6. Any alteration to historic structure designated as historic by the Saugus Historical Commission shall use materials, colors and textures, massing, size, scale and architectural features that are compatible with the original structure(s). Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. Any awnings and canopies shall be compatible with the architectural style of the building.
7. All new mixed use or residential structures approved under the Mills Mixed Use Overlay by-law shall incorporate architectural elements that are compatible with the existing historic mills and housing styles.
8. Mechanical equipment shall be screened, and if located on roofs, it shall be organized and designed so as not to appear to be a "leftover" or "add-on" element.
9. Projects shall enhance the pedestrian environment by minimizing the number and size of curb cuts and by providing sidewalks along Central Street to the extent possible.
10. Projects abutting the Saugus River shall provide public access consistent with a concept plan for riverfront access.
11. As feasible, building rehabilitation and site design will incorporate green building techniques (such as those developed by the U.S. Green Building Council) and Low Impact Site design techniques aimed at protecting and enhancing the existing natural resources and buffer zones, particularly the areas adjacent to the Saugus River.